

**MODIFICATION of
Notice of Violation**

To the following Permittee or Operator:

Name: Tar Sands Holdings II

Mailing Address: 6445 S. Wasatch Blvd. Salt Lake City, UT 84121

Mine Name: Asphalt Ridge 2 Permit Number: M/47/0032

Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., *Utah Code Annotated (1953)*:

Notice of Violation No MN-2016-60-02 dated March 23, 2016.

is modified as follows: Containers identified in the March 22, 2016 inspection report were not removed from the site as required in Notice of Violation MN-2016-60-02. All containers with unknown, unlabeled contents must be removed from the permit area as directed in the original NOV MN-2016-60-02.

Reason for modification is: The operator's response to NOV MN-2016-60-02 was that the four drums identified as deleterious materials were not a hazardous material but a froth material as identified by an EnviroCare staff member who made that determination based on photographs instead of a formal sampling procedure. Regardless of that, any unlabeled drum has to be treated as a hazardous material. In this case, the operator merely put lids on the drums and relocated them to the hazmat storage area. A second area, the hazmat storage area itself was also identified with several open, unsecured, and unlabeled drums, open 5-gallon buckets, and open unsecured barrels of bitumen products. These were not even acknowledged in the abatement response report.

Date of service/mailing: _____

Date of service/ mailing: 7-11-16

Permittee or Operator Representative

Title

Signature

April A. Abate
Division of Oil, Gas & Mining Representative

Environmental Scientist III
Title

April A. Abate
Signature

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